

BORAH GOLDSTEIN  
ALTSCHULER NAHINS & GOIDEL, P.C.



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November 18, 2021

**Via ECF**

Honorable Katherine Polk Failla  
United States District Judge  
United States District Court  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square-Courtroom 618  
New York, New York 10007

**MEMO ENDORSED**

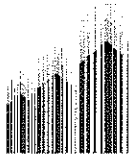
Re: Ricardo Velasquez v. Sunshine Florist Inc.  
and El-Kam Realty Co.  
United States District Court  
Southern District of New York  
Case No. 21-cv-03588-KPF

Honorable Judge Failla:

This firm represents Defendant El-Kam Realty Co. (“El-Kam”) in the above-referenced matter. We are writing this joint letter on behalf of El-Kam and Defendant Sunshine Florist Inc. (“Sunshine”) (collectively “Defendants”), with the consent of Sunshine’s counsel, respectfully to request: (a) an extension of time for Defendant El-Kam to answer, move or otherwise respond to the Complaint from the current due date of tomorrow, November 19, 2021, through and including December 17, 2021; and (b) an adjournment of the Initial Pre-trial Conference (“the Conference”) currently scheduled for November 30, 2021, at 4:00 p.m. until January 7, 2022 in the afternoon or January 14, 2022 after 11:00 a.m., or another date in January 2022 at the Court’s convenience.

This is El-Kam’s sixth request to extend the time to answer, and the second by this firm. The first request was by a letter motion dated and filed June 8, 2021 [ECF #11], which the Court granted by an Order dated and entered June 8, 2021 [ECF #13]. The second request was by a letter motion dated and filed June 22, 2021 [ECF #14], which the Court granted by an Order dated and entered June 22, 2021 [ECF #15]. The third request was by a letter motion dated and filed August 11, 2021 [ECF #19], which the Court granted by an Order dated and entered August 11, 2021 [ECF #20]. The fourth request was by a letter motion dated and filed September 8, 2021 [ECF #21], which the Court granted by an Order dated and entered September 9, 2021 [ECF #22]. The fifth request was by a letter motion

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dated and filed October 14, 2021 [ECF #28], which the Court granted by an Order dated and entered October 15, 2021 [ECF #31].

The first, second, third and fifth of those letter motions also requested and were granted extensions of the Conference.

While the Court, in its Order of September 9, 2021 [ECF #22], stated with respect to El-Kam's answer deadline of November 19, 2021, that, "the Court does not anticipate granting my further extension," we respectfully request that the Court grant this additional extension.

Counsel for the parties have been and are still actively engaged in settlement discussions, which are going very well; all counsel are confident that a settlement can soon be reached and are trying to avoid additional legal fees being incurred. However, counsel for Sunshine recently had an injury, resulting in emergency surgery and a four (4) day hospital stay, which has delayed the recent progress.

Plaintiff's counsel consents to both requests. These requests do not interfere with any other scheduled dates.

Wherefore, I respectfully request that the Court grant the extension of time for Defendants to file their answer to the Complaint until December 17, 2021 and grant the adjournment of the Conference.

Thank you.

Respectfully submitted,



JEFFREY C. CHANCAS

JCC/ac

Application GRANTED. Defendant El-Kam Realty Co. and Defendant Sunshine Florist Inc. shall respond to the Complaint on or before December 17, 2021. This will be the final extension. The initial pretrial conference scheduled for November 30, 2021 is hereby ADJOURNED to January 7, 2022, at 11:30 a.m. The Court wishes Ms. Stricker a speedy recovery.

The Clerk of Court is directed to terminate the pending motions at docket numbers 32 and 33.

Dated: November 18, 2021  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE